

ATLANTA CITY COUNCIL

ACTION/MINUTES

AUGUST 15, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, August 15, 2011. The Meeting convened at 1:20 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Ceasar C. Mitchell presided. The Honorable Council President Pro Tempore Joyce M. Sheperd and The Honorable Acting Council President Pro Tempore Felicia A. Moore presided a portion of the meeting.

Attendance:

The following (14) voting members were present at the Meeting:

The Honorable Kwanza Hall *1:39	The Honorable Felicia A. Moore
The Honorable Ivory Young, Jr. *1:39	The Honorable C. T. Martin
The Honorable Cleta Winslow *3:17	The Honorable Keisha Bottoms
The Honorable Natalyn. Archibong *3:17	The Honorable Joyce Sheperd *1:39
The Honorable Alex Wan	The Honorable Michael Bond
The Honorable Howard Shook	The Honorable Aaron Watson
The Honorable Yolanda Adrean	The Honorable Lamar H. Willis *3:17

Councilmember Carla Smith was absent.

***Arrival Time:** - indicates arrival after convening roll call.

INVOCATION: Pastor Steve Bacon of Central Presbyterian Church gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **July 18, 2011** Regular Meeting and the **July 21, 2011** Special Called Meeting are true and correct. The Minutes were **FILED** without objection.

REMARKS BY THE PUBLIC: During public speaking, Council President Ceasar C. Mitchell stated the allotted time (60 minutes) has expired. A Motion was made by Councilmember Martin to extend the time for public speaking. It was properly Seconded and **CARRIED** by a roll call vote of **11 yeas; 0 nays**. Therefore, remarks by the public continued.

8/15/11 Action Minutes

ADOPTION OF AGENDA: Councilmember Moore made a **Motion to Amend** the Agenda by moving the Standing Committee of Committee on Council to report third following the Community Development/Human Resources Committee. It was properly Seconded and the Motion to Adopt the **Agenda as Amended CARRIED** by a roll call vote of **12 yeas; 0 nays**.

EXECUTIVE SESSION: During this meeting, Councilmember Moore made a Motion to enter **Executive Session** for the purpose of pending and potential litigation. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **12 yeas; 1 nay**. Council then entered Executive Session. Executive Session ending, Councilmember Moore made a Motion to re-enter **Regular Session**. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **11 yeas; 0 nays**. Council re-entered Regular Session.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 11-C-1147 (1) A Communication by **Mayor Kasim Reed** appointing Ms. Drewnell Thomas to serve as a member of the License Review Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1148 (2) A Communication from **Mark Massey, Clerk to the Commission, to Council President Ceasar C. Mitchell**, submitting the Fulton County Board of Commissioners' appointment of Mr. Bernie Tokarz (Position 3) to serve as the County's Representative on the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1149 (3) A Communication from **Andy Schneggenburger, Executive Director, Atlanta Housing Association of Neighborhood-Based Developers (AHAND), to Municipal Clerk Rhonda Dauphin Johnson**, submitting the re-appointment of Mr. Pete Hayley to serve as their representative to serve on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This re-appointment is for a term of two (2) years, retroactive to May 01, 2011.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1150 (4) A Communication from **John O'Callaghan, President and CEO, Atlanta Neighborhood Development Partnership, Inc. (ANDP), to Municipal Clerk Rhonda Dauphin Johnson, jointly with Andy Schneggenburger, Executive Director, Atlanta Housing Association of Neighborhood-Based Developers (AHAND)**, re-appointing Ms. Kate S. Little to serve as their representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This re-appointment is for a term of two (2) years, retroactive to May 01, 2011.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 11-C-1151 (5) A Communication from **John O'Callaghan, President and CEO, Atlanta Neighborhood Development Partnership, Inc. (ANDP), to Municipal Clerk Rhonda Dauphin Johnson**, appointing Ms. Cheneé Joseph to serve as their representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, retroactive to May 01, 2011.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

- 11-C-1152 (6) A Communication by **Councilmembers Joyce M. Sheperd, District 12; Keisha Lance Bottoms, District 11; C. T. Martin, District 10; Felicia Moore, District 9 and H. Lamar Willis, Post 3 At-Large** appointing Ms. Angelia M. Newell to serve as a member of the People TV Board of Directors. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

REFERRED TO CITY UTILITIES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

- 11-C-1153 (7) A Communication by **Council President Ceasar C. Mitchell** appointing Ms. Ruth Price to serve as a member of the Atlanta Citizen Review Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

- 11-C-1154 (8) A Communication by **Councilmember Kwanza Hall** nominating Darrell J. Glasco to serve as a member of the Atlanta Development Authority Board. (Full Council appt.)

FILED WITHOUT OBJECTION

- 11-C-1155 (9) A Communication by **Councilmember Felicia A. Moore** nominating Mr. William L. Harrison to serve as a member of the Atlanta Citizen Review Board. (Full Council appt.)

Note: A ballot was taken for the two nominees for the Atlanta Citizen Review Board (Mr. William L. Harrison & Ms. Laurie L. Harris). Mr. Harrison 8 votes; Ms. Harris 6 votes. Therefore, as due process, a resolution was introduced by Councilmember Moore to appoint Mr. Harrison to the board.

FILED WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 11-C-1156 (10) A Communication by **Councilmember Alex Wan** nominating Ms. Laurie L. Harris to serve as a member of the Atlanta Citizen Review Board. (Full Council appt.)

Note: A ballot was taken for the two nominees for the Atlanta Citizen Review Board (Mr. William L. Harrison & Ms. Laurie L. Harris). Mr. Harrison 8 votes; Ms. Harris 6 votes. Therefore, as due process, a resolution was introduced by Councilmember Moore to appoint Mr. Harrison to the board.

FILED WITHOUT OBJECTION

- 11-C-1157 (11) A Communication by **Councilmembers Felicia A. Moore, District 9; C. T. Martin, District 10; Keisha Lance Bottoms, District 11; Joyce Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** appointing Mr. James W. Haskell, Jr. to serve as a member on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

- 11-C-1158 (12) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the July 2011 Monthly Contracts Report to the Atlanta City Council and Clerk of Council pursuant to Section 2-1142 of the Atlanta City Code of Ordinances.

FILED WITHOUT OBJECTION

- 11-C-1159 (13) A Communication from **Howard W. Grant, Ph.D., Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Ms. Yolanda K. Johnson to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 11-C-1160 (14) A Communication from **Howard W. Grant, Ph.D., Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Mr. Emmett D. Johnson to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1161 (15) A Communication from **Howard W. Grant, Ph.D., Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Mr. Alvah Hardy to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1162 (16) A Communication from **Howard W. Grant, Ph.D., Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Dr. Eric Rosser to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1163 (17) A Communication from **Howard W. Grant, Ph.D., Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Mr. David Scott to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 11-C-1164 (18) A Communication from **Howard W. Grant, Ph.D., Atlanta Board of Education, to Municipal Clerk Rhonda Dauphin Johnson**, appointing Mr. William McFarland to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-C-1165 (19) A Communication from **Wayne Grady**, Chair, NPU-I, to Municipal Clerk Rhonda Dauphin Johnson, re-appointing himself to serve as the representative on the Hollowell/Martin Luther King Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of one (1) year, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

11-R-1060 (1) A Resolution by **Councilmembers Joyce Sheperd, Cleta Winslow and Keisha Lance Bottoms** authorizing the Mayor to enter into an agreement with the Directorate of Emergency Services (DES), Fort McPherson, Georgia, on behalf of the Department of Fire Rescue for the purpose of providing Fire Protection, Suppression, Emergency Medical, Hazardous Material, and Technical Rescue support within the boundaries of Fort McPherson, Georgia; and for other purposes.

At the Regularly Scheduled Meeting held July 18, 2011, Councilmember Young made a Motion to Table 11-R-1060. It was Seconded by Councilmember Hall and the Motion CARRIED by a roll call vote of 8 yeas; 0 nays. During this meeting, Municipal Clerk Rhonda Dauphin Johnson sounded the caption to the resolution. Following, Councilmember Sheperd made a Motion to hold the item to later in the meeting. The resolution was then deferred. Returning back to Resolution 11-R-1060, Chairperson Sheperd sounded the caption and made a Motion to remove the item off the Table. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. The resolution was before Council. Ms. Sheperd then made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

CONSENT AGENDA SECTION I

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of items 11-R-1121, 11-R-1104 and 11-O-1141 which were removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **12 Yeas:** Councilmembers Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson: **0 Nays.**

The original vote of Consent Agenda Section I was 13 yeas; 0 nays; however, a Motion to Reconsider was made to remove Ordinance 11-O-1141. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Consent Agenda Section I was then before Council. Subsequently, the Motion to Adopt was made, Seconded by Councilmember Young, and CARRIED by a roll call vote of 12 yeas; 0 nays.

SECTION I

ORDINANCES FOR SECOND READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

11-O-1007 (1) An **Amended** Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY2012 (2009A Water and Wastewater Bond Fund -5066) Budget in the amount of \$25,560,000.00 to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Bond Fund -5066) for Appropriations and to add to appropriation funds for the R. M. Clayton Compliance Upgrades Project; and for other purposes.

ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

11-O-1008 (2) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY2012 (1999 Water and Wastewater Bond Fund -5056) Budget in the amount of \$13,172.57 to transfer funds from the Capital Projects Reserve (1999 Water and Wastewater Bond Fund -5056) for Appropriations and to add to appropriation funds for Greensferry Sewer Separation and 10th Ward Trunk Projects; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 11-O-1009 (3) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY2012 (2009A Water and Wastewater Bond Fund -5066) Budget in the amount of \$10,750,000.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriation funds for Various Capital Projects; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 11-O-1120 (4) An Ordinance by **Councilmember C. T. Martin** to waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the hours of operation on Monday, September 5, 2011 (Labor Day), only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-O-1137 (5) An Ordinance by **Councilmembers Carla Smith and Ivory L. Young, Jr.** amending Sections 10-2 and 10-3 of the Code of Ordinances of the City of Atlanta in order to clarify that providing alcoholic beverages for consumption at premises open to the public requires a license issued by the City pursuant to Chapter 10; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

- 11-O-1141 (6) An Ordinance by **Councilmember Ivory L. Young, Jr. as Substituted by Public Safety and Legal Administration Committee** to amend Chapter 98, Article II, Division 2, Sections 98-70, (Qualifications for Eligibility) and 98-81 (Expiration of Eligible List) and Chapter 114, Article IV, Division 7, Subdivision II, Section 114-236, (Minimum Qualifications to Complete) and 114-247 (Duration of Eligible List) so as to permit a promotional examination announcement to be made before the expiration of a current eligible list; to increase the number of years of continuous service in all non-discretionary ranks above Police Sergeant and Fire Lieutenant in a lower rank from which promotions can be made, such increase being necessary as a result of an ability to make an earlier promotional examination announcement; to repeal conflicting ordinances; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Young.

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

- 11-O-1014 (7) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta ("City"), to waive the requirements of the City Code Section 2-1541 (d) of the Procurement and Real Estate Code, and to negotiate for and purchase approximately 0.517 acre of property located at 1181 Boulevard Street, SE, Atlanta, Georgia ("The Property"), from Atlanta BeltLine, Inc. ("ABI"), in an amount not to exceed \$275,000.00 for the purpose of expanding Boulevard Crossing Park. The City's Purchase Price, Due Diligence and Purchase Services shall be paid from Park Improvement Bond 2005A from the FDOA Numbers listed; and for other purposes.
- ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-O-1019 (8) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2012 (Intergovernmental Grant Fund – 2501) Budget in the amount of \$5,000.00 by adding to anticipations and appropriations funds for the grant from National Center for Civic Innovation for the Performance Reporting Project; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-O-1027 (9) A **Substitute** Ordinance by **Finance/Executive Committee** to authorize and adopt a Third Supplemental Indenture to Ratify, Reaffirm, Supplement and Amend that certain Indenture of Trust, dated as of December 1, 2001 and securing the City's Tax Allocation Variable Rate Bonds (Westside Project), Series 2001, as supplemented and amended by that certain First Supplemental Indenture of Trust, dated as of December 1, 2005 and securing the City's Tax Allocation Variable Rate Bonds (Westside Project), Series 2005A and Series 2005B and as supplemented and amended by that certain Second Supplemental Indenture of Trust, dated as of December 1, 2008 and securing the City's Subordinate Lien Tax Allocation Variable Rate Bonds (Westside Project), Series 2008; to provide for the creation of an Index Rate Period; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 12 YEAS; 0 NAYS
- 11-O-1133 (10) An Ordinance by **Councilmember Aaron Watson** to waive the Competitive Procurement Provisions contained in the Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to authorize the Mayor or his designee, on behalf of the City, to execute an Agreement with Nationwide Retirement Solutions for the continuation of Administrative Services of the City's Section 457 Component of its Defined Contribution Retirement Plan on a month-to-month basis for a period not to exceed twelve months; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-O-1134 (11) An Ordinance by **Councilmember Aaron Watson** to waive the Competitive Procurement Provisions contained in the Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to authorize the Mayor or his designee, on behalf of the City, to execute an Agreement with ING Life Insurance and Annuity Company for the continuation of Administrative Services of the City's Defined Contribution Retirement Plan on a month-to-month basis for a period not to exceed twelve months; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

- 11-O-1135 (12) An Ordinance by **Councilmember Aaron Watson** to waive the Competitive Procurement Provisions contained in the Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to authorize the Mayor or his designee, on behalf of the City, to execute an Agreement with ICMA Retirement Corporation for the continuation of Administrative Services of the City's Section 457 Component of its Defined Contribution Retirement Plan on a month-to-month basis for a period not to exceed twelve months; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

RESOLUTIONS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 11-R-1099 (1) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into a contractual agreement with LAZ Parking Limited, LLC for Parking Services, on behalf of the Department of Watershed Management, for the lease of real property at 100 Luckie Street, in an amount not to exceed \$210,000.00; to provide the terms of such agreement; to direct the City Attorney to prepare and approve as to form all necessary documents; all contracted services shall be charged to and paid from Fund, Department Organization and Account Number listed; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

- 11-R-1100 (2) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, or his designee, to execute a Right-of-Way Mowing and Maintenance Agreement with the Georgia Department of Transportation, for certain portions of property under the control of the Georgia Department of Transportation; and to simultaneously execute an agreement with the South Fork Conservancy, Inc. to assume City of Atlanta obligations as set forth in the Right-of-Way Mowing and Maintenance Agreement with the Georgia Department of Transportation; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

- 11-R-1121 (3) A Resolution by **Councilmember C. T. Martin as Substituted by Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an Operating Agreement with the Metro Atlanta YMCA to maintain, operate, and provide programming at the Adamsville Recreation Center; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Moore.

SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT

- 11-R-1136 (4) A Resolution by **Councilmember Carla Smith** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an Operating Agreement with the Boys and Girls Clubs of Metro Atlanta to maintain, operate, and provide programming at the Thomasville Recreation Center; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

- 11-R-1140 (5) A Resolution by **Councilmember Cleta Winslow** authorizing the Mayor to apply for and accept grant funding from the Governor's Office for Children and Families under the Juvenile Accountability Block Grant (JABG) Program in an amount not to exceed \$40,000.00 and matched by the City in an amount not to exceed \$4,400.00 from District 4 Council Member Expense Account, to develop and implement programs to benefit youth in District 4; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

- 11-R-1096 (6) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Robert Hunter v. City of Atlanta, Civil Action File No. 2010CV180360, in the amount of \$7,500.00; authorizing said payment to be charged to and paid from the Fund, Departmental, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

- 11-R-1118 (7) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of J. D. Phillips, Individually and on behalf of all others similarly situated v. City of Atlanta, Civil Action File Number 1:10-CV-2427-HLM-WEJ, in the United States District Court for the Northern District of Georgia, Atlanta Division, in the total gross amount of \$271,028.44, to be distributed to plaintiffs. Of this amount, authorizing payment of \$271,028.44 to be charged to and paid from the Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

- 11-R-1142 (8) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the matter of Shawn Venegas and Brian Kidd, Claim Number 10L1070 in the total gross amount of \$200,000.00, to be distributed to plaintiffs; authorizing payment of \$200,000.00 to be charged to and paid from the Fund, Center Number, Account and Functional Activity Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

- 11-R-1015 (9) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, with Pitney Bowes utilizing the State of Georgia Contract (SWC-90791-1), to enter into a 60-month lease for Mailroom Postage Equipment on behalf of the Executive Offices-Office of Enterprise Assets Management in an amount not to exceed \$43,620.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 11-R-1103 (10) A Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to enter into a Cooperative Purchasing Agreement with the United States Defense Logistics Agency Energy ("DLA Energy"), for the purchase of Aviation Fuel, on behalf of the Atlanta Police Department ("APD"), in an amount not to exceed \$70,000.00 for a period of one (1) year.; all costs shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-R-1104 (11) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to award and execute an Agreement with Thanks Again, LLC, pursuant to Code Section 2-1191; Sole Source Procurement, for the purpose of providing a credit card based customer rewards program for Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$135,000.00 for one (1) year; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Martin.

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

- 11-R-1130 (12) A Resolution by **Councilmember Felicia A. Moore and the Council** of the City of Atlanta requesting that the Mayor direct the Commissioner of Human Resources to immediately implement Pension Education Workshops to explain pension plan changes and options to all City employees; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

- 11-R-1131 (13) A Resolution by **Councilmember Felicia A. Moore and the Council** of the City of Atlanta requesting that the Mayor and his Administration expeditiously work to resolve a potentially adverse impact to City employees re-employed from United Water in 2003 and effected by the newly adopted 2011 Pension changes under Ordinance 11-O-0672; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-R-1109 (14) A Resolution by **Transportation Committee** authorizing the Mayor to apply for, accept and implement all grant funds and programs from all State and Federal Agencies and execute documents associated with such grants for projects at Hartsfield-Jackson Atlanta International Airport during the 2012 Fiscal Year; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 11-R-1110 (15) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract FC-6006007929-C, Architectural and Engineering Design Services with Aviation Infrastructure Solutions in an amount not to exceed \$900,000.00 to provide services for Taxiway Replacement at Hartsfield-Jackson Atlanta International Airport; all services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1111 (16) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract FC-6006007929-B, with Hartsfield-Jackson Aviation Design Collaborative, in an additional amount not to exceed \$3,910,294.00, to provide Architectural and Engineering Design Services for Concourse "C" Midpoint Expansion Project at Hartsfield-Jackson Atlanta International Airport; all services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1112 (17) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract FC-6006007929-C, Architectural and Engineering Design Services with Aviation Infrastructure Solutions in an amount not to exceed \$1,200,000.00 to provide services for Airfield Replacement at Hartsfield-Jackson Atlanta International Airport; all services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 11-R-1113 (18) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Lease Agreement with Gate Gourmet, Inc. covering the occupancy and use of space in the South Airfield Area at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 11-R-1114 (19) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract FC-6006007929-E, Architectural and Engineering Design Services with Ascend, LLC in an amount not to exceed \$500,000.00 to provide services for Airfield/Ramp Upgrades at Hartsfield-Jackson Atlanta International Airport; all services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 11-R-1115 (20) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement and Lease of premises for office and operational space at Hartsfield-Jackson Atlanta International Airport with Lufthansa German Airlines and British Airways PLC; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 11-R-1139 (21) A Resolution by **Councilmember Cleta Winslow as Amended by Transportation Committee** authorizing the Mayor or his designee to conduct a Traffic Calming Study of Donnelly Street, SW from Cascade Road, SW to Beecher Street, SW; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

- 11-R-1076 (1) Claim of **Georgia Farm Bureau Mutual Insurance Company, as subrogee of Miesha Prince (DWM/10)**, for damages alleged to have been sustained as a result of an automobile accident on January 12, 2011 at 1760 Rogers Avenue. **\$876.33**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1077 (2) Claim of **Tara L. Jackson, c/o Kevin Almeroth, Deming, Parker, Hoffman, Campbell & Daly (AFR/NA)**, for bodily injuries alleged to have been sustained when two teeth were damaged during a training procedure on July 21, 2009 at 1170 Cleveland Avenue, East Point, Georgia. **\$2,716.20**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1078 (3) Claim of **Nekeya Holloway (DWM/12)**, for property damages alleged to have been sustained from flooding due to storm water overflow on August 10, 2010 at 335 Macedonia Road, SE. **\$4,200.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1079 (4) Claim of **Engineer's Bookstore, c/o Donna W. Brown, Manager (DWM/02)**, for property damages alleged to have been sustained from a fire hydrant leak on February 7, 2011 at 748 Marietta Street, NW. **\$6,562.62**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Claims with unfavorable recommendations:

- 11-R-1080 (5) Claim of **Jennifer F. Giarratano (NA/03)**, for damages alleged to have been sustained as a result of striking a pothole on April 11, 2011 on Northside Drive, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 11-R-1081 (6) Claim of **Aja Stewart (DPW/06)**, for property damages alleged to have been sustained from driving over a pothole on March 16, 2011 at GA-13 ramp and Interstate 75/85 Southbound.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 11-R-1082 (7) Claim of **Ireatha Haig (DPW/02)**, for bodily injury alleged to have been sustained from falling into a pothole on March 22, 2010 at 100 Broad Street.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 11-R-1083 (8) Claim of **Dan and Michelle Brandenburg, through their attorney, J. Daniel Howard, Perkins Law Firm (DPW/02)**, for bodily injuries alleged to have been sustained from a trip-and-fall incident on October 6, 2009 at 106 Baker Street.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 11-R-1085 (9) Claim of **Yetunde Jude, through her attorney, Sam L. Starks, Esq., Martin & Jones (DWM/03)**, for property damages alleged to have been sustained from storm sewer overflows on April 15, 2011 at 2203 Tiger Flowers Drive, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 11-R-1086 (10) Claim of **Yetunde Jude, through her attorney, Sam L. Starks, Esq., Martin & Jones (DWM/03)**, for property damages alleged to have been sustained from storm sewer overflows on March 26 and 28, 2011 at 2203 Tiger Flowers Drive, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 11-R-1087 (11) Claim of **Diana Atterbuy, through her attorney, Scott M. Williamson, The Williamson Law Firm (DOA/NA)**, for bodily injuries alleged to have been sustained from a fall on May 2, 2011 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 11-R-1088 (12) Claim of **Tamia Swint, through her attorney, Edward J. Bauer (NA/02)**, for bodily injuries alleged to have been sustained from an assault incident on September 28, 2010 at 739 West Peachtree Street, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1089 (13) Claim of **Trenton Dunn (DPRCA/11)**, for property damages alleged to have been sustained from a tree that fell on May 27, 2011 at 2324 Palmetto Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1090 (14) Claim of **Aja Stewart (DPW/06)**, for property damages alleged to have been sustained from driving over a pothole on March 28, 2011 at GA-13 ramp and Interstate 75/85 Southbound.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1091 (15) Claim of **Paul Love (DPW/02)**, for property damages alleged to have been sustained from driving over a metal plate on October 15, 2010 at Courtland Avenue and Edgewood Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1092 (16) Claim of **Arrianna Overstreet (DPW/04)**, for property damages alleged to have been sustained from driving into a pothole on March 7, 2011 at Martin Luther King, Jr. Drive and Brownlee Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1093 (17) Claim of **Autowyn Kelley, through his attorney, Duncan Harle, Foy and Associates (NA/11)**, for bodily injuries alleged to have been sustained from a falling ceiling on April 13, 2011 at 879 Victoria Place.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 11-R-1094 (18) Claim of **Tommy Lee, Jr. (DPW/08)**, for property damages alleged to have been sustained from driving over a metal rod on May 3, 2011 at I-285 Eastbound and I-75 Southbound.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 11-R-1095 (19) **Claim of Regina Demita, through her attorney, Sam L. Starks, Esq., Martin & Jones (DWM/05)**, for property damages alleged to have been sustained from storm sewer overflows on February 1 and 4, 2011, March 9 and 15, 2011, September 26, 2010, October 27, 2010 and November 30, 2010 at 42 Oakridge Avenue.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

CONSENT AGENDA SECTION II

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

All items on Consent Agenda Section II (01 through 04 as follows) were Referred to the appropriate committees as a collective vote.

11-O-1097 (1) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY2012 Budget authorizing the City of Atlanta to appropriate funds from the Care & Conserve Trust Fund (7701) to the Community Development Block Grant Fund (2201) for Department of Watershed Management, in the amount of \$75,000.00; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

11-O-1098 (2) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Revenue Fund) (5051) Budget in the amount of \$400,000.00; to transfer funds from the Water and Wastewater Revenue Fund (5051) Reserves for Appropriations and add to appropriations to the Water and Wastewater Revenue (5051) for Extra Help Salary Charges; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

11-O-1102 (3) An Ordinance by **Community Development/Human Resources Committee** amending the 2011-2012 Budget (Intergovernmental Grant Fund) by adding to anticipations and appropriations account the amount of \$276,598.00 to increase the budget amount authorized by the U. S. Department of Housing and Urban Development ("HUD") for the City of Atlanta's Section 8 Moderate Rehabilitation Program for Vanira Village Apartments; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

- 11-O-1106 (4) An Ordinance by **Finance/Executive Committee** to create the Series 2011A and 2011B Airport General Revenue Refunding Bond Funds; to amend the Fiscal Year 2012 Budget by adding to anticipations and appropriations Bond Proceeds in the amount of \$_____, for the Airport General Revenue Refunding Bonds, Series 2011A and \$_____, for the Airport General Revenue Refunding Bonds, Series 2011B; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A
ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the July 26, 2011 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Martin, Watson, Smith and Adrean

Absent: Councilmembers Shook and Willis

ORDINANCE FOR SECOND READING

11-O-1004 (1) An **Amended** Ordinance by **City Utilities Committee** authorizing the renaming of Harris Street to John Portman Boulevard by and through actions of the Commissioner of the Department of Public Works or designee; and for other purposes. (**Public Hearing held 7/26/11**)

Chairperson Archibong sounded the caption to Ordinance 11-O-1004 and stated the item was forwarded from committee with No Recommendation as Amended. Following, a discussion ensued, in which, Councilmember Martin made a Motion to defer the item. Without Objection, the ordinance was deferred until later during the meeting. Returning back to the ordinance, Councilmember Martin was recognized and made a Motion to Adopt as Amended. It was properly Seconded and an extensive discussion ensued. After which, the Motion CARRIED by a roll call vote of 8 yeas; 6 nays.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 8 YEAS; 6 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (2)

NATALYN M. ARCHIBONG, CHAIR

RESOLUTIONS

Resolutions (01 through 02 as follows) were taken as a collective vote.

11-R-1012 (1) A **Substitute** Resolution **as Amended** by **City Utilities Committee** authorizing the Department of Watershed Management to approve a Task Order to BGR, JV for FC-4906C, Annual Contract for Architectural and Engineering Services, Land Support Project, Easement Research and Acquisition Services 1-ER, on behalf of the Department of Watershed Management, in an amount not to exceed \$53,064.00; all contracted work to be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.

Chairperson Archibong sounded the caption to both (11-R-1012 & 11-R-1013) and made a Substitute Motion to Refer the resolutions back to the City Utilities Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

REFERRED SUBSTITUTE AS AMENDED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-R-1013 (2) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to Arcadis/Brindley, Pieters & Associates, Joint Venture, for FC-4906A, City-Wide Annual Contract for Architectural and Engineering Services - Land Support Project, Easement Research and Acquisition Services 2-ER, on behalf of the Department of Watershed Management, in an amount not to exceed \$232,044.00; all work will be charged to and paid from Fund, Department Organization and Account and PTAE0 Numbers listed; and for other purposes.

Chairperson Archibong sounded the caption to both (11-R-1012 & 11-R-1013) and made a Substitute Motion to Refer the resolutions back to the City Utilities Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

REFERRED SUBSTITUTE TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)
JOYCE SHEPERD, CHAIR

Attendance at the July 26, 2011 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Young, Archibong and Hall

Absent: Councilmembers Wan, Bond and Winslow

ORDINANCES FOR SECOND READING

10-O-1991 (1) An Ordinance by **Community Development/Human Resources**
CDP-10-12 **Committee** to amend the Land Use Element of the City of Atlanta's 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located in the **Atlanta BeltLine Sub-Area 4 Memorial-Glenwood** from Various Land Use Designations to Various Land Use Designations; and for other purposes. **(Public Hearing held 11/29/10)**

NPU's N and W

Council Districts 1, 2 and 5

The original vote of Ordinance 10-O-1991 was 13 yeas; 0 nays; however, Councilmember Archibong, who was on the prevailing side, made a Motion to Reconsider the ordinance. It was Seconded by Councilmember Winslow and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. The Ordinance 10-O-1991 was before Council. Chairperson Sheperd then made a Motion to Adopt. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 1 nay.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

11-O-1122 (2) An Ordinance by **Councilmember Joyce Sheperd as Amended by Community Development/Human Resources Committee** authorizing funding for various grant positions under the 2011 Community Development (CDBG) Budget, 2011 Emergency Shelter Grant (ESG) Budget, 2011 Home Investment (HOME) Budget and the 2011 Housing Opportunities for Persons with AIDS (HOPWA); and for other purposes.

Note: Councilmembers Young and Wan stated for the record their abstentions to Ordinance 11-O-1122 were due to a potential conflict of interest. Councilmember Young's wife is employed by one of the grant positions and Councilmember Wan's employer is involved in one of the grants.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS; 2 ABSTENTIONS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2)
JOYCE SHEPERD, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

- 11-O-1123 (3) An Ordinance by **Councilmember Joyce Sheperd as Amended by Community Development/Human Resources Committee** amending the 2011 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$1,825,540.00 and by amending the 2011 (Home Investment Trust Fund) Budget by adding to anticipations and appropriations in the amount of \$300,000.00 for the purpose of funding various projects assigned to the Department of the Mayor, Office of Human Services that are included in the 2011 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.

Note: Councilmember Young stated for the record his abstention to Ordinance 11-O-1123 was due to a potential conflict of interest (wife is employed by one of the grant positions).

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS; 1 ABSTENTION**

- 11-O-1124 (4) An Ordinance by **Councilmember Joyce Sheperd as Amended by Community Development/Human Resources Committee** amending the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$9,103,294.00 for the purpose of funding various Housing Opportunities for Persons with AIDS (HOPWA) Projects assigned to the Department of the Mayor Office of Human Services that are included in the 2011 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.

Note: Councilmembers Young and Wan stated for the record their abstentions to Ordinance 11-O-1124 were due to a potential conflict of interest. Councilmember Young's wife is employed by one of the grant positions and Councilmember Wan's employer is involved in one of the grants.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS; 2 ABSTENTIONS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (3)
JOYCE SHEPERD, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

11-O-1125 (5) A Ordinance by **Councilmember Joyce Sheperd as Substituted and Amended by Community Development/Human Resources Committee** amending the 2011 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$3,627,457.00 and amending the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$1,039,138.00 for the purpose of funding various projects assigned to the Department of Finance, Department of Parks, Recreation and Cultural Affairs, Municipal Courts and Department of Watershed Management that are included in the 2011 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.
ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11-O-1126 (6) An Ordinance by **Councilmember Joyce Sheperd as Substituted and Amended by Community Development/Human Resources Committee** amending the 2011 (Community Development Fund) Budget by adding to anticipations and appropriations in the amount of \$1,904,762.00 and by amending the 2011 (Home Investment Trust Fund) Budget by adding to anticipations and appropriations in the amount of \$3,122,992.00 for the purpose of funding various projects assigned to the Department of Planning and Community Development that are included in the 2011 Annual Action Plan of the 2010-2014 Consolidated Plan; and for other purposes.
ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (4)
JOYCE SHEPERD, CHAIR

RESOLUTIONS

11-R-1127 (1) A Resolution by **Councilmember Joyce Sheperd as Amended by Community Development/Human Resources Committee** authorizing the Mayor to enter into Various Contractual Agreements administered by the Department of the Mayor, Office of Human Services for projects under the 2011 Community Development Block Grant (CDBG), 2011 Emergency Shelter Grant (ESG), 2011 Home Investment Trust Fund (HOME) and 2011 Housing Opportunities for Persons with AIDS (HOPWA); and for other purposes.

Note: Councilmembers Young and Wan stated for the record their abstentions to Resolution 11-R-1127 were due to a potential conflict of interest. Councilmember Young's wife is employed by one of the grant positions and Councilmember Wan's employer is involved in one of the grants.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS; 2 ABSTENTIONS**

11-R-1128 (2) A Resolution by **Councilmember Joyce Sheperd as Amended by Community Development/Human Resources Committee** authorizing the Mayor to enter into Various Contractual Agreements administered by the Department of Planning and Community Development for projects under the 2011 Community Development Block Grant (CDBG), and 2011 Home Investment Trust Fund (HOME); and for other purposes.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

11-R-1129 (3) A Resolution by **Councilmember Joyce Sheperd as Amended by Community Development/Human Resources Committee** authorizing the Mayor to enter into a Contractual Agreement administered by the Department of Watershed Management for the project under the 2011 Community Development Block Grant (CDBG); and for other purposes.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (5)
JOYCE SHEPERD, CHAIR

ITEM REMOVED FROM CONSENT AGENDA

11-R-1121 (1) A Resolution by **Councilmember C. T. Martin as Substituted by Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an Operating Agreement with the Metro Atlanta YMCA to maintain, operate, and provide programming at the Adamsville Recreation Center; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Moore. Chairperson Sheperd sounded the caption to Resolution 11-R-1121. A brief discussion ensued, during which, Councilmember Martin made a Motion to Adopt. After which, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the August 15, 2011 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Archibong, Sheperd, Adrean and Hall

Absent: Councilmember Winslow

COMMUNICATIONS

Communications (01 through 05 as follows) were taken as a collective vote.

11-C-1068 (1) A Communication by **Mayor Kasim Reed** appointing Mr. George F. Maynard, Esq. to serve as a Procurement Appeals Hearing Officer on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Finance/Executive Committee 7/27/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

11-C-1070 (2) A Communication by **Mayor Kasim Reed** re-appointing Mr. Kwame T. Thompson, Esq. to serve as a Procurement Appeals Hearing Officer on behalf of the City of Atlanta. This re-appointment is for a term of two (2) years retroactive to May 04, 2011 and expires on May 04, 2013. This re-appointment is scheduled to begin on the date of Council confirmation. **(Favorable by Finance/Executive Committee 7/27/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

11-C-1071 (3) A Communication by **Mayor Kasim Reed** re-appointing Ms. Anna Foote to serve as a member of the Atlanta Development Authority on behalf of the Atlanta Planning Advisory Board (APAB). This re-appointment is for a term of two (2) years retroactive to October 20, 2010 and expires on October 20, 2012. This re-appointment is scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 7/26/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

11-C-1072 (4) A Communication from **Mark Massey, Clerk of the Fulton County Board of Commissioners, to Council President Ceasar C. Mitchell**, submitting the Board's nomination of Mr. David M. Holder (Position 2) to serve as the County's representative on the BeltLine Affordable Housing Advisory Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 7/26/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)

FELICIA A. MOORE, CHAIR

COMMUNICATIONS (CONT'D)

11-C-1117 (5) A Communication by **Councilmembers Ivory L. Young, Jr., District 3; Cleta Winslow, District 4; and Michael J. Bond, Post 1 At-Large** appointing Ms. L. Danielle Carney to serve as a member of the Water and Sewer Appeals Board, scheduled to begin on the date of Council confirmation. **(Forwarded with no recommendation by City Utilities Committee 7/26/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

11-C-1143 (6) A Communication by **Council President Ceasar C. Mitchell and Councilmembers Yolanda Adrean and Felicia A. Moore** to all members of the Atlanta City Council requesting that the Council accept and issue a formal letter of reprimand to Atlanta Municipal Clerk, Rhonda Dauphin Johnson and that said letter be placed in her personnel file.

Note: Councilmember Moore stated for the record that she will not be supporting communication 11-C-1143 because she feels there should be a stiffer penalty as she stated before in the July 18, 2011 Action Minutes (11-C-1075).

CONFIRMED BY A ROLL CALL VOTE OF 9 YEAS; 4 NAYS

ORDINANCE FOR FIRST READING

11-O-1144 (1) An Ordinance by **Committee on Council** authorizing the Mayor to enter into a contract among the City of Atlanta, the Atlanta Board of Education and Fulton County for the conduct of a Special Election to be held on November 8, 2011 and if necessary a Run-off Election to be held on December 6, 2011 to fill the vacancy in the Atlanta Board of Education District Two (2) position; providing that the Atlanta Board of Education will pay all costs and expenses of the Special Election to Fulton County and the City of Atlanta; to appoint the Fulton County Board of Registration and Elections as Municipal Election Superintendent, for the purpose of conducting said election, as Absentee Ballot Clerk and as Municipal Registrar; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3)

FELICIA A. MOORE, CHAIR

ORDINANCE FOR SECOND READING

- 11-O-1062 (1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 02C, 03C, 03G, 04G, 04V, 06A, 07N, 08C, 08H, 08J, 09A, 09F, 11J and 11N to make permanent relocations as a result of completed renovations, inadequate heating and air conditioning issues at existing facilities; safety issues and name changes; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

RESOLUTION

- 10-R-1067 (1) A Resolution by **Community Development/Human Resources Committee** to confirm the appointment of Mr. Bill Rasul to the Metropolitan Parkway Tax Allocation District Advisory Committee; and for other purposes. (Recommendation to file by **Community Development/Human Resources Committee 7/26/11.**)
FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 11-R-1166 (2) A Resolution by **Committee on Council** to express the intent of the Atlanta City Council to start the 2011 Redistricting Process of amending Council District Boundaries as a result of the 2010 Decennial Census as required by Atlanta City Charter Section 5-202, "Reapportionment of Council Districts."
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)
IVORY L. YOUNG, JR., CHAIR

Attendance at the July 26, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Young (Chair), Martin, Sheperd, Bottoms and Adrean

Absent: Councilmembers Bond and Wan

ITEM REMOVED FROM CONSENT AGENDA

11-O-1141 (1) An Ordinance by **Councilmember Ivory L. Young, Jr. as Substituted by Public Safety and Legal Administration Committee** to amend Chapter 98, Article II, Division 2, Sections 98-70, (Qualifications for Eligibility) and 98-81 (Expiration of Eligible List) and Chapter 114, Article IV, Division 7, Subdivision II, Section 114-236, (Minimum Qualifications to Complete) and 114-247 (Duration of Eligible List) so as to permit a promotional examination announcement to be made before the expiration of a current eligible list; to increase the number of years of continuous service in all non-discretionary ranks above Police Sergeant and Fire Lieutenant in a lower rank from which promotions can be made, such increase being necessary as a result of an ability to make an earlier promotional examination announcement; to repeal conflicting ordinances; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Young. Mr. Young sounded the caption to the ordinance and made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. The Substitute was before Council. Following, Chairperson Young made a Motion to Adopt on Substitute. It was properly Seconded and, after a brief discussion, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

Attendance at the July 27, 2011 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Adrean (Chair), Moore, Martin and Watson

Absent: Councilmembers Shook, Willis and Wan

ORDINANCE FOR SECOND READING

11-O-1138 (1) An Ordinance by **Councilmembers Clela Winslow, Aaron Watson, Carla Smith, Yolanda Adrean, Kwanza Hall, Ivory Lee Young, Jr. and C. T. Martin as Substituted by Finance/Executive Committee** to authorize the Mayor, on behalf of the City of Atlanta, to accept a \$3,267,000.00 grant through the Mayor's Project at Bloomberg Philanthropies for the purpose of designing and implementing effective solutions to pressing challenges; and to authorize the Mayor to enter into an Agreement with Bloomberg Philanthropies with respect to the acceptance of such funds and subject to the conditions described therein; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

RESOLUTION AND ORDINANCE

Resolution and Ordinance (01 through 02 as follows) were taken as a collective vote.

11-R-0905 (1) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an Intergovernmental Agreement with Cobb County for certain improvements to State Route 3 and U. S. Highway 41; and for other purposes.
FILED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-O-0997 (2) An Ordinance by **Councilmembers Alex Wan and Kwanza Hall** extending the authorization of the transfer of property located at 695 Ponce de Leon Ave., N.E., also known as City Hall East to the Atlanta Development Authority; authorizing the assignment of the contracts and agreements associated with property; authorizing the Mayor to execute a Quitclaim Deed transferring the property to the Atlanta Development Authority; and for other purposes.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (2)
YOLANDA ADREAN, CHAIR

ITEM REMOVED FROM CONSENT AGENDA

11-R-1104 (1) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to award and execute an Agreement with Thanks Again, LLC, pursuant to Code Section 2-1191; Sole Source Procurement, for the purpose of providing a credit card based customer rewards program for Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$135,000.00 for one (1) year; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Martin. Chairperson Adrean sounded the caption to Resolution 11-R-1104 and made a Motion to Refer the item back to the Finance/Executive Committee. It was Seconded by Councilmember Martin and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

REFERRED SUBSTITUTE TO FINANCE/EXECUTIVE
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

AARON WATSON, CHAIR

Attendance at the July 27, 2011 meeting of the Zoning Committee was as follows:

Present: Councilmembers Watson (Chair), Young, Hall, Smith and Bottoms

Absent: Councilmembers Shook and Winslow

ZONING REVIEW BOARD AGENDA ITEMS

Ordinances (01 through 03 as follows) were taken as a collective vote.

11-O-0948 (1)
U-11-22 An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit, pursuant to Section 16-11.005 (1)(f) and Section 16-12.005 (1)(e) for broadcasting towers and line of site relay devices for telephonic, radio or television communications greater than 70 feet in height for property located at **2770 Campbellton Road, S.W.** Property fronts 324.9 feet on the south side of Campbellton Road, beginning 895 feet from the southwest corner of Dodson Drive. Depth: 676.96 feet. Area: 4.95 acres. Land Lot 218, 14th District, Fulton County Georgia.

Owner: Morris Habif
Applicant: Sarra Marshall
NPU-R Council District 11

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

11-O-0695 (2)
U-11-20 An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-08.005 (1)(b) of the City of Atlanta Zoning Ordinance for a Pre-Kindergarten, property located at **34 and 38 Peachtree Avenue, N.E.**, fronting approximately 179 feet on the north side of Peachtree Avenue approximately 50 feet east of the intersection of Peachtree Avenue and North Fulton Avenue. Depth: varies. Area: approximately 0.959 acres. Land Lot 100, 17th District, Fulton County, Georgia.

Owner: Peachtree Avenue Development, LLC and
 Larry L. and Judith T. Benton
Applicant: Atlanta International School
NPU-B Council District 7

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

AARON WATSON, CHAIR

ZONING REVIEW BOARD AGENDA ITEMS (CONT'D)

11-O-0690 (3)
Z-11-13

An **Amended** Ordinance by **Zoning Committee** to rezone property from the RG-3-C (Residential General Sector 3-Conditional) District to the RG-3-C (Residential General Sector 3-Conditional) District for the purpose of a change of conditions, property located at **34 and 38 Peachtree Avenue, N.E.** fronting approximately 180 feet on the north side of Peachtree Avenue. Depth: varies. Area: approximately 0.95 acres. Land Lot 100, 17th District, Fulton County, Georgia.

Owner: Peachtree Avenue Development, LLC and
Larry L. and Judith T. Benton
Applicant: Atlanta International School
NPU-B Council District 7

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS**

Ordinances (04 through 05 as follows) were taken as a collective vote.

11-O-0231 (4)
Z-11-04

An Ordinance by **Zoning Committee** to rezone property from the I-1 (Light Industrial) District to the O-I (Office Institutional) District, property located at **3201 Atlanta Industrial Parkway, N.W.** fronting approximately 1269 feet on the southeasterly side of Atlanta Industrial Parkway and approximately 995 feet on the northeasterly side of Fulton Industrial Boulevard and 223 feet on the east side of Donald Lee Hollowell Parkway. Depth: varies. Area: approximately 9.45 acres. Land Lot 261, 17th District, Fulton County, Georgia.

Owner: Atlanta West Business Center, LLC
Applicant: Jon W. Jordan
NPU-G Council District 9

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

AARON WATSON, CHAIR

ZONING REVIEW BOARD AGENDA ITEMS (CONT'D)

10-O-0962 (5)
U-10-20 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Church pursuant to Section 16-06.005 (1)(c) property located at **3267 and 3309 Jonesboro Road, S.E.**, fronting approximately 508 feet on the west side of Jonesboro Road beginning 132.60 feet from the intersection of Jonesboro Road and Macedonia Road. Depth: varies. Area: approximately 3.29 acres. Land Lots 34 and 35, 14th District Fulton County, Georgia.

Owner: Willie W. Williams
Applicant: Willie W. Williams
NPU-Z Council District 12

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

ORDINANCE FOR SECOND READING

11-O-0449 (1)
U-11-10 An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit under the provisions of Section 16-06.005 (l)(g) for a Personal Care Home, property located at **3451 Valley Ridge Terrace, SW**, fronting approximately 75 feet on the south side of Valley Ridge Terrace, approximately 280 feet to east of the intersection of Valley Ridge Drive and Valley Ridge Terrace. **(Referred back by the Full Council 6/20/11) (Held 6/29/11 at the request of the District Councilmember)**

Depth: Approximately 170 Feet
Area: Approximately 0.293 Acre
Land Lot: 250, 14th District, Fulton County, Georgia
Owner: Tariq Davis
Applicant: Tariq Davis
NPU-P Council District 11

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS;
1 NAY**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the July 27, 2011 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Bottoms and Smith

Absent: Councilmembers Willis and Bond

The Standing Committee of Transportation did not have a report.

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

- 11-R-1167 (1) A Resolution by **Councilmember Natalyn Archibong** of the Atlanta City Council supporting the inclusion of the MARTA proposed Moreland Bus Rapid Transit (TIA-AT-020) Project and MARTA I-20 East, downtown to Candler Road portion (TIA-M-022) Project in the Regional Round Table (RRT) Executive Committee (EC) Project list; and for other purposes.

Councilmember Archibong made a Motion to Adopt Resolution 11-R-1167. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

- 11-R-1168 (2) A Resolution by **Councilmember Alex Wan** authorizing the Mayor to execute a local government lighting project agreement between the City of Atlanta and the Georgia Department of Transportation for the operation, repair and maintenance of the SR 400/I-85 Connector Ramps Project; and for other purposes.

Councilmember Wan made a Motion to Adopt the above resolution. It was properly Seconded and an extensive discussion ensued, during which, Council deferred the item to later during the meeting to get a response regarding Councilmember Watson's concern of the cost of the light fixtures. Returning back to the resolution, Councilmember Watson's concerns were addressed, therefore, the Motion to Adopt CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

RESOLUTIONS/REFERRED

- 11-R-1145 (1) A Resolution by **Councilmember Kwanza Hall** appointing Mr. Darrell Glasco as the Full Council appointee to the Atlanta Development Authority Board of Directors in the Real Estate category for a term of four (4) years; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 11-R-1172 (2) A Resolution by **Councilmember C. T. Martin** authorizing the Mayor to enter into an Intergovernmental Agreement with Fulton County for the provision of animal control services within the City of Atlanta for a period of one year, in an amount not to exceed One Million, Three Hundred Seventy Four Thousand, One Hundred Eleven Dollars and Ninety Four Cents (\$1,374,111.94) to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200502 (NDP Fulton County) 5710001 (Payments to Other Govts.) 1514000 (Tax Administration); and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-R-1174 (3) A Resolution by **Councilmember Felicia A. Moore** appointing Mr. William L. Harrison to the Atlanta Citizen Review Board. This appointment is for a term of three (3) years, scheduled to begin on the date of the approval of this resolution.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-R-1175 (4) A Resolution by **Councilmembers Howard Shook and Michael J. Bond** to amend Resolution #11-R-0936 adopted June 20, 2011 and approved June 29, 2011 which established "The City of Atlanta Alcohol Technical Advisory Group II (ATAG II) for the purpose of performing a complete and comprehensive review of the City of Atlanta's Alcohol Beverage Licensing process and the enforcement of the laws pertaining to the licensing, sale and regulation of alcoholic beverages in the City of Atlanta" so as to provide that one of the three representatives from the alcoholic beverage industry shall be appointed by the National Association of Licensing and Compliance Professionals; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 11-R-1176 (5) A Resolution by **Councilmember Michael J. Bond** to amend Resolution #11-R-0936 adopted June 20, 2011 and approved June 29, 2011 which established "The City of Atlanta Alcohol Technical Advisory Group II (ATAG II) for the purpose of performing a complete and comprehensive review of the City of Atlanta's Alcohol Beverage Licensing process and the enforcement of the laws pertaining to the licensing, sale and regulation of alcoholic beverages in the City of Atlanta" so as to provide that one of the three representatives from the alcoholic beverage industry shall be appointed by the Georgia Alcohol Dealers Association and one shall be appointed by the Georgia Licensed Beverage Association; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

ORDINANCES/REFERRED

- 11-O-1169 (1) An Ordinance by **Councilmembers Alex Wan, Keisha Bottoms, H. Lamar Willis, Michael Julian Bond, Cleta Winslow, Howard Shook and Yolanda Adrean** to call and conduct an election to be held on November 8, 2011 for the purpose of submitting the question of Sunday package sales by retailers of malt beverages, wine, and distilled spirits to the electors of the City of Atlanta for approval or rejection; the election shall be conducted in the manner authorized under Code Section 21-2-540; to waive conflicting ordinances; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 11-O-1170 (2) An Ordinance by **Councilmember Kwanza Hall** to adopt the John C. Portman Architectural District Concept Development Plan; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 11-O-1171 (3) An Ordinance by **Councilmember C. T. Martin** authorizing the Chief Financial Officer to amend the FY 2012 (General Fund) Budget by adding to anticipations and appropriations and the FY 2012 (E911 Fund) Budget by adding to anticipations in the amount of Four Million, Six Hundred Thirty Three Thousand, Eight Hundred Seventy Dollars and No Cents (\$4,633,870.00) to transfer funds from the FY 2012 (General Fund) Budget to the FY 2012 (E911 Fund) Budget for the purpose of reestablishing the transfer between the General Fund and the E911 Fund; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-O-1173 (4) An Ordinance by **Councilmember Joyce M. Sheperd** amending the 2012 (WIA Adult Job Training Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of One Hundred Thirty Eight Thousand Six Hundred Four Dollars (\$138,604.00) in the Workforce Investment Act Adult Fund from the Georgia Department of Labor, to provide job training and other skills to local adult workers; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 11-O-1177 (5) An Ordinance by **Councilmembers Carla Smith and Cleta Winslow** to amend Sections 16-29.001 (16)(e) of the Zoning Code of the City of Atlanta for the purpose of amending the distance requirement between certain supportive housing or rehabilitation facilities located in the City of Atlanta; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 11-O-1178 (6) An Ordinance by **Councilmember Natalyn Archibong** authorizing the Chief Financial Officer to amend the FY 2012 (2009A Water and Wastewater Bond Fund – 5066) Budget in the amount of Two Million Five Hundred Thousand Dollars and No Cents (\$2,500,000.00) to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Bond Fund – 5066) for appropriations; to add to appropriations funds for the Small Meter Audit Project; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the august 15, 2011 meeting of the Atlanta City Council was adjourned at 8:41 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (12; Councilmembers Hall and Shook were excused (2).